

**MERRIMACK VILLAGE DISTRICT  
BOARD OF COMMISSIONERS  
OCTOBER 21, 2024  
MEETING MINUTES  
(approved November 18, 2024)**

A regular meeting of the Board of Commissioners was conducted on Monday, October 21, 2024, at 5:05 p.m. at 2 Greens Pond Road, Merrimack, NH.

Donald Provencher, Chairman, presided:

Members of the Board present:        Kenneth Ayers, Vice Chairman  
   Erin Clement  
   Scott Sabens

Members of the Board Absent:        Wolfram von Schoen, Personnel Liaison

Also in Attendance:                    Ron Miner, Superintendent  
   Jill Lavoie, Business Manager  
   Kristen Maher, HR/Finance Director  
   Terry Desmarais, P.E., Sr. Project Mgr., Underwood Engineers

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**FINANCE/HUMAN RESOURCES REVIEW**

**A. Analysis of Revenue and Expenditures**

A financial report was provided (through 9-30-24). At ¼ of the way through the fiscal year, shown is revenue in the amount of \$2,234,535 (35.57% of budgeted amount) and expenses of \$1,228,020 (19.55%). Net Ordinary Income is \$1,006,515.

Revenue is running high mostly due to water usage (Line Item #40100-40300), which ran high during the summer (very hot July) and interest income (Line Item #40405) due to current interest rates.

A question was asked at last month's meeting regarding the percentage of Line Item #60300 - Water Purchase. Kristen Maher, HR/Finance Director, noted the amount identified (\$52,520.57) represents the first two months. As we get closer to year-end we will be able to determine if there is the need to look to a transfer from capital reserves.

The entire budgeted amount for Line Item #70675.6 – R&M Structure – Janitorial, has been exhausted due to the need for chemical disposal. This was an unanticipated expense for FY25.

Asked about Line Item #70020 – Rentals, Director Maher stated test pit work is being done on the F.E. Everett Turnpike. Ron Miner, Superintendent, added the cost is associated with the test pits to locate water main sleeves and identify where the water lines cross under the highway in various locations (turnpike widening project).

## **B. Capital Reserve Balance**

The current balance under Land Acquisition is \$1,571,311.13, Equipment & Facilities is \$4,062,375.58, System Development \$1,299,928.43, Extraordinary Legal \$111,175.34, and Water Purchase & Wastewater Treatment Plant (WTP) Operations and Maintenance (O&M) \$574,585.89.

Under Equipment & Facilities, potential expenditures have been updated based on the recently approved Capital Improvement Plan (CIP). Several items have a cost identified as TBD as it is not yet known what our portion of the cost will be for the bridge work on the F.E. Everett Turnpike or the cost of what may occur with the water main extensions in Areas 3, 4, and 5 (in excess of grant funds).

Commissioner Clement commented on the need to explain at the annual meeting that the reason the Capital Reserve Fund is funded at the level it is, is because of unknowns associated with projects such as these.

The Unassigned Net Balance (operating), as of 9-30-24, is \$22,078,490. Added was the Convertible Cash amount of \$3,506,217.

We are winding down projects at MVD Wells 2, 9, 7, and 8. Once our funding is received, that column should be removed.

Confirmation has been received from Saint-Gobain that they do owe us one more escrow payment for the Wells 4 / 5 treatment plant. The last payment for the five-years of O&M will be in this fiscal year (FY25).

## **REGULAR SESSION**

### **1. Board of Commissioners to hear update on the status of the gap funding grant applications submitted to the DWGTF for the two MVD mainline extension projects.**

Terry Desmarais, P.E., Underwood Engineers (Underwood), provided a brief explanation of the process to date.

At the June 17, 2024, meeting, an update was provided on the state of the following Poly- and Per-fluoroalkyl Substances (PFAS) Water Main Extension Projects (outside of the Consent Decree area for Saint-Gobain); PRLF 31 – Palmeri/Gerard & Wilson Hill/Mullikin and PRLF 32 – Mason/Foster/Farmer. Each project was awarded a separate grant in the amount of \$1.5 million from the New Hampshire Department of Environmental Services (NHDES) for extending the water main in the respective project areas. Each project must be designed, bid on, and constructed separately within the funding limits.

Based on initial layouts and development of estimated total project costs (including engineering, construction, and construction contingency) it was understood that the \$1.5 million would not be sufficient to cover the full limits for either project.

At the time, the decision was reached that Underwood would move forward with the design of the full project limits so that a bid package could be readily available as funding options were finalized. If additional funding were not secured each project would be bid with a base bid and an add alternate.

Underwood met with NHDES to discuss different funding options. Unfortunately, they were minimal in terms of what was available for additional gap funding. What the district did was submit a pre-application to the Drinking Water State Revolving Fund (DWSRF). This program offers low interest loans with limited principal forgiveness or 100% principal forgiveness loans from the emerging contaminants funds. Once projects are ranked based on the State's Intended Use Plan, NHDES issues a Project Priority List. The MVD PFAS Water Main Extension projects did not rank high enough to be offered funding.

Mr. Desmarais spoke of what is referred to as a special construction loan or grant request (or combination thereof) by the NHDES Drinking Water and Groundwater Trust Fund (DWGTF). In August of 2024, Jill Lavoie, Business Manager, and Superintendent Miner applied for 100% grant funding through the DWGTF program in the amount of \$850,000.

That committee has a process they follow to review the documents. They met with NHDES in early October and looked through some of their questions on the application. The application was extensive but they generally were asking about the affordability of the project for the users, commitment that was known by the district for the number of people that would connect, schedule of the projects, and that whether there would be any impact if the projects were not funded at all through the DWGTF.

That process goes through a sub-committee (October 15<sup>th</sup>). He, Business Manager Lavoie, and Superintendent Miner attended that meeting to respond to the questions. There was a good deal of discussion around being sensitive about asking residents if they want to connect to a pipe that might not be there. They described being cautious about talking about and asking who would commit to connecting until it is understood what funding is available and what the extent of the projects would be.

The sub-committee was very understanding of that. As it relates to affordability, they utilize certain metrics to determine what is affordable. After discussing the details and reason for the projects, a NHDES representative mentioned the fact that an affordability index may not be the most appropriate metric to use as they are evaluating their commitments for a potential recommendation on this project. That broader context went over well with the sub-committee. They understood that because it is a health-related extension, not just a request to extend the distribution system, maybe it held a different kind of standard.

By the time the meeting ended, the sub-committee recommended to move forward to the larger committee (19 members) a recommendation for 100% grant of that gap funding in the amount of \$850,000 to be split by the two projects. The group will be back in front of the full committee on November 18<sup>th</sup>.

Business Manager Lavoie commented when there were questions posed around capital reserves they were able to refer to the information prepared that identified amounts budgeted, percent of increase year-over-year, total debt, water rate (over 100cf), tiered rate (above 3000cf) and the percent of increase year-over-year for the period FY19 through FY25. Once that information was before the sub-committee there were a lot of head nods. Mr. Desmarais did a good job tweaking the information to make it reflect what our actual skin in the game is.

Chair Provencher commented in the past, for the DWGTF they were always looking to identify your commitment, e.g., monies we had invested. It is a proactive idea to show that our customers have put this money into the system through rate increases. The information provided shows a 74.37% increase during that timeframe. We had estimated 70% just for the system and PFAS and to come out at 74% with cost

escalation on everything else, that shows that PFAS related costs were a significant increase to our customers. He spoke of being pleased that was being recognized.

Superintendent Miner noted it was Brandon Kernen, Administrator, Drinking Water and Ground Water, NHDES, that made the comments. It almost seemed like the sub-committee was swaying the other way, that there was going to be a recommendation for some sort of loan, etc., but after his comment that the affordability index may not be the most appropriate metric, it seemed to change the direction.

**2. Board of Commissioners to revisit the distribution hydraulic model information as discussed in the Worksession on June 12, 2023 with Underwood Engineers, Inc.**

As Commissioner von Schoen was unable to be in attendance, and wished to be included in this discussion, Chair Provencher suggested the item be tabled.

*There being no objection, the item was tabled.*

**3. Board of Commissioners to review the draft Conflict of Interest Policy (1<sup>st</sup> reading – legal review pending) as required for recipients of federal APRA funds.**

Policy #24-02-B – Conflict of Interest  
*Given its first reading;*

Director Maher noted a desk review was conducted, e.g., responses to questions concerning how we handle funds from the State or Federal Government. That information has been submitted along with all other required documentation.

Policy language has been reviewed by legal counsel, and edits have been included in the draft policy provided.

Chair Provencher noted the opportunity for Commissioners to provide input would continue as the policy would be back before the Commission for a second reading at a future meeting.

**MOTION BY COMMISSIONER SABENS TO ACCEPT THE FIRST READING OF POLICY 24-02-B – CONFLICT OF INTEREST, AS PRESENTED  
MOTION SECONDED BY MEMBER CLEMENT  
MOTION CARRIED  
4-0-0**

**4. Board of Commissioners to discuss compensation letter to Evoqua for media iron issues at Wells 7 & 8.**

The current draft includes edits suggested during the discussion that occurred at the last meeting.

*There being no objection, Chair Provencher requested the letter be sent.*

**5. Board of Commissioners to review the minutes from the September 16, 2024 regular Board of Commissioners Meeting**

Board of Commissioners Regular Meeting . . . . . September 16, 2024

**MOTION BY COMMISSIONER AYERS TO ACCEPT THE MEETING MINUTES OF THE  
SEPTEMBER 16, 2024, MEETING, AS PRESENTED  
MOTION SECONDED BY COMMISSIONER CLEMENT  
MOTION CARRIED  
4-0-0**

**6. Board of Commissioners to review Action Items from previous meetings and those to be added from this meeting.**

The Commission reviewed the Action Items. New dates were added to several of the items.

- Summary Table of Outstanding ESRs from Underwood and Emery & Garrett

Chair Provencher noted the Commission received the summary (done quarterly).

- Salt Mitigation Committee Meetings

There was discussion around the Watershed Assistance Planning Grant. The next meeting is scheduled for early November.

- Salt Reduction Letter

Emery & Garrett Groundwater Investigations (EGGI) has to do one for the watershed planning grant. They will be combined. Asked if there is an anticipated date for that to be sent out, Business Manager Lavoie stated that is being discussed at the October 25<sup>th</sup> meeting. The previous letter has been provided to EGGI for reference.

- PFAS Granular Activated Carbon (GAC) filtration media alternative vendor plan (pilot testing)

Superintendent Miner stated a vendor will be in-house the week of November 18<sup>th</sup> to look at Wells 4 and 5. He just received word today from another whose schedule looks as though it could happen soon after the 18<sup>th</sup>.

It was explained with the pilot test, we have all these tubes that evaluate the media in it, that tracks it to see what is most efficient. We have that set up in each one of our treatment plants to find the best media. The vendors referred to are vendors of each of those medias.

Chair Provencher commented that the desire is to identify whether there is an alternate media that may perform better than what we currently utilize. If so, consideration will be given to a change.

Commissioner Clement added we could choose it in like a finishing purpose so that we are not going through media as quickly. The EPA is going to pay for all the lab testing for the pilot test.

Commissioner Sabens asked what the contingency plan is, e.g., is there a backup vendor in case of unavailability or is it staggered in a way that the media is changed so that you can switch off to one well versus another? Superintendent Miner responded one of the medias is what we are utilizing currently for our makeup. As far as he knows there is no issue getting that media. It would just be testing the product of other vendors against what we are currently using.

Business Manager Lavoie responded if the question being asked is if there is a backup vendor should the vendor we currently use go out of business, etc., the answer is we have a previous vendor that had GAC as well as others out there.

Chair Provencher spoke of difficulty with responsiveness from the company that supplied the original media. What we do is take the exhausted GAC away and reconstitute/regenerate it and then bring it back. You always lose some volume that cannot be regenerated so you must add 10-15% more. That means we need to also have that vendor supply more carbon to us. Because of difficulties with scheduling, we were pushing off the changeouts because they could not accommodate us. Eventually, we found a different vendor that does the same thing. We have been using a new vendor and have had a good experience all around.

Superintendent Miner commented that it takes 4 trucks to remove the media (haul away). It comes back in 2. When they drop it off, if we have another treatment plant that is ready, they will go right over and take that media away.

Commissioner Sabens asked what the plan is should the vendor become unavailable. Superintendent Miner stated we have an American made coal this time so it is less likely to happen. Our previous vendor utilized an Australian coal that was hard to get. Asked if there are other vendors available, Superintendent Miner stated the current vendor is one that can be depended upon for carbon. There is a product that is very similar in size, etc. Asked if there is a plan in place, he stated it is not a written plan, but a matter of a phone call. Asked, he stated there is no contract.

Noted was when the vendor takes the media they regenerate it, which basically means they bake it really hot and then it comes back again. It is not like we could lose all our media. We would only ever lose two tanks at a time at one set of wells.

Chair Provencher added the lag vessel stays in operation, so we only have one vessel to treat instead of having a backup one until they come back and put the media back in the empty vessel and then you have two in series again.

Commissioner Clement commented that even the turnaround time from this new vendor is like night and day from what we had experienced previously. If you want to perform maintenance or something on the empty vessel when the media is gone for reactivation, you have to be scheduling that in advance. Asked if the company that cleans it differs from the one who supplies the media, Commissioner Clement stated her belief is that they purchase the resupply. Superintendent Miner stated it is their product, although he is uncertain if they make it. He is not certain if they own their own, or haul it to a regenerating facility.

Commissioner Sabens asked if doing this pilot test and learn there is a carbon that looks like it works better than the one presently used, is the company able to supply different carbons? Do they have their own line of carbon and that is all they supply or do they have multiple lines? Superintendent Miner responded they

have their own line of carbons, but they have different carbons within that. He chose the 1240 because of the mesh size. We could certainly go with a different product through them.

Chair Provencher commented it sounds as though they are very responsive in terms of delivery and regenerating the carbon. It would be nice to stay with them and not have to go through another supplier if we find there is a better carbon product that works better for us.

Commissioner Clement commented that was the point of the pilot testing. When you talk to these vendors they all believe their product to be superior. Even what we were promised at the outset when we got the other media, was not what happened. Those short chains are what run us ragged in having to change media. If we can find something that even works for just those short chains, we can put in some polishing and not go through the major vats of media as quickly.

Chair Provencher commented there are 1 or 2 of the 6 media we are testing that are not carbon at all, but an anion resin. It is kind of like when using a water softener but with a different polarity. Anion resin removes GAC as well. It is more expensive but you need less of it.

We're hoping some of this information gives us an understanding if some medias work better for the short chains. That is what is breaking through first and that is what causes us to replace the media that we have. If there is something that works better on the short chains that might be something we might consider switching to or perhaps add that on after the carbon and put additional filters on just for the short chains that always break through first so that we don't have to change out the main carbon vessels as frequently.

The hope is that we get a lot of information out of this pilot test. We have the same kind of pilot test equipment setup at all three of our treatment plants in case the water is a little bit different from one to another.

Commissioner Clement remarked putting our existing media in one of the pilot tests is a great idea. We know what our media does in real life and on a big scale, and that allows us to compare apples to apples.

Superintendent Miner spoke of being pleased with the vendor being utilized (Carbon Activated Corporation) and how the product is performing. Chair Provencher remarked most of it is still the original GAC that we had. It has only been added to a few times (perhaps half of it is now replaced with makeup carbon).

Commissioner Sabens stated his main concern was if, for some reason, something was not available, how would that impact the availability of clean water, for how long, and do we have a process in place to rectify that and is it known by people that can make those calls should the Superintendent not be available. If it is 6 months where the media can be reused over again and you are still okay, but maybe have diminished capacity, it is probably not that big a deal. That is a lot of time to figure out how to get back to 100%.

Chair Provencher stated to be compliant with the regulated PFAS he believes we could go a year or two or more. It is the unregulated short chains that we are basing our changeout on. If it were a 3-6 month delay on getting another service call here it would just be those short chains that would continue to bleed in. It is not a compliance issue, just our preference.

Director Maher commented on federal compliance that all towns move to have a treatment plant within the next three years. That will likely result in greater competition and perhaps impact availability of product.

Chair Provencher added, if the number of suppliers doesn't increase, we will have a hard time getting supply because everyone will be overusing the existing suppliers. Superintendent Miner remarked there are different ways that we could handle that as well. We could do a complete change out of our media and they will hold a swing load for us. As we decide on a media there will be a plan developed on how and when to move forward, e.g., whether complete changeout, etc.

- Waterline extensions

Superintendent Miner stated the water mains are installed in Brenda Lane, and were disinfected on Friday. Today they should have filled it. It will soak for a day, and tomorrow they will probably do the flushing and bacteria sample. Chair Provencher spoke of his comfort with MVD staff overseeing the work. Superintendent Miner stated he and other member(s) of the staff as well as the Town have been out there at times. The crew is excellent and is doing very good work. He noticed at Wildcat and Christopher that incorrect hydrants were installed and will be changed out.

- Cybersecurity

Director Maher stated she has a monthly meeting with Block5 to discuss where we are with the move to .gov. We have been approved (MVDWaterNH.Gov). It is up and running, but we haven't alerted everyone. She wants to know where we are with that.

She has a good deal of YubiKeys (device that makes two-factor authentication (2FA) as simple as possible) provided free from the government and she wants to discuss the proper way to put those out. Cyber certificates training is also provided free from the government. Commissioner Sabens spoke of having received notification earlier in the day from the insurance provider (Primex) concerning cybersecurity training certificates.

The walk-thru will be conducted on October 29<sup>th</sup> to see where our current policy stands against that high-level one.

## **7. Old Business - None**

## **8. New Business - None**

## **9. Superintendent's Report**

Chair Provencher questioned the status of the GAC changeout. Superintendent Miner responded for wells 2 and 9, both vessels are full. Four and 5 had a week turnaround (almost too quick). Seven and 8 will be done in November. Four and 5 and 2 and 9 are completed; have been changed out. Asked when they were back online with fresh media, Superintendent Miner stated October 8<sup>th</sup> was the return on wells 2 and 9. They took out 4 and 5 and returned them on the 17<sup>th</sup>.

Chair Provencher remarked when doing 7 and 8 in November, if it is the vessel that was damaged by the bridge and repaired that we were going to evacuate, he would be interested in learning the status of that



vessel. Superintendent Miner stated part of what they like to do when they have the vessel cleaned is take pictures of the inside as part of our asset management.

**10. Questions from the Public/Press - None**

**ADJOURNMENT**

**MOTION BY COMMISSIONER AYERS TO ADJOURN**

**MOTION SECONDED BY COMMISSIONER SABENS**

**MOTION CARRIED**

**4-0-0**

The October 21, 2024, regular meeting of the Board of Commissioners was adjourned at 6:16 p.m.

Submitted by Dawn MacMillan, Recording Secretary